

**Bar Harbor Planning Board
Minutes
March 21, 2007**

Members present: Kay Stevens-Rosa, Chair; Mike Gurtler, Vice Chair; Sarah Stanley, Secretary; Kevin Cochary; and Jennifer Booher

Also present: Anne Krieg, Planning Director; Angela Chamberlain, Code Enforcement Officer; Erik Piechowicz, Staff Planner; and Amanda Meader, Esq., Town Attorney

I. CALL TO ORDER — 5:35 p.m.

II. ADOPTION OF THE AGENDA

Mr. Gurtler moved to adopt the agenda. Mr. Cochary seconded the motion. The Board voted unanimously to approve the agenda.

III. APPROVAL OF MINUTES

There were no minutes to approve.

IV. REGULAR BUSINESS

A. Continuation of a Public Hearing – SP-06-08 Cadillac Management Company, LLC

Project Location: 322, 330 Main Street, Bar Harbor Tax Map 108, Lot 39

Applicant: Cadillac management Company, LLC

Application: Expand the existing building by approximately 11,500 SF, 3 floors with a wing and connector piece

The applicant's architect, Quentin Armstrong, showed the Board the revised drawings pursuant to the applicant's meetings with the Design Review Board.

Ms. Stanley pointed out mistakes in the square footage calculations Mr. Armstrong had attached to the revised drawing.

The Board discussed the parking issue regarding this project. Mr. Gurtler stated there are no parking standards relating to medical clinics. Ms. Krieg stated the industry standard for a medical clinic is between 4 – 5.5 spaces per 1,000 square feet. A professional office building requires 2 spaces per 1,000 square feet.

Mr. Cochary read a letter from Art Blank, president CEO of Mount Desert Island Hospital addressed to the Riddell's discussing the need for additional parking spaces.

Mr. Moore stated they would break down the square footage per usage when determining the parking requirements. Mr. Gurtler asked Mr. Moore to supply the Board with a parking proposal taking into account the 4/1000 SF requirements.

Ms. Booher stated there needs to be pedestrian access from the parking lot to the entrance of the new addition. She also asked the representatives if they have completed the traffic statement the Board had requested. The Board has concerns with the parking spaces backing out onto Oliver Street.

Ms. Booher requested that the applicant submit one site plan for the Board's review. Mr. Moore stated he will prepare the site plan.

The Board opened the floor to public comment.

Jim Patterson, attorney for Tristram Colket Jr., an abutter, reiterated to the Board the points in his letter dated March 16, 2007.

Amanda Meader, acting Town attorney addressed Mr. Patterson's questions / comments in his March 16th letter.

Kathleen Field, an abutter, suggested the entrance to the new building be located on Main Street rather than on the residential streets.

Bruce Riddell, an abutter, questioned the number of employees and offices will be present in the addition.

Mr. Gurtler suggested that Mr. Moore supply the Board with a parking study using a range of uses (2/1,000 – office and 4/1,000 – medical clinic).

Mr. Gurtler moved to continue the Public Hearing at the Board's April 4, 2007 meeting. Ms. Stanley seconded the motion, the Board voted unanimously to continue the Public Hearing.

B. Continuation of a Public Hearing – SP 06-05 Harborside

Project Location: West Street, Bar Harbor Tax Map 104, Lot 10

Applicant: Golden Anchor, LLC

Application: Expand the existing pier, reconstruct and expand a building on the property to accommodate a mixed use development

Mr. Gurtler discussed parking calculations he did for the site. By his determination 250 parking spaces would be required to accommodate all the uses on the site and there are currently 237 existing parking spaces.

Mr. Moore stated the parking space requirements are contingent on the principal use. There are currently 187 hotel rooms, therefore 187 parking spaces, only the proposed screening facility would require additional parking.

Mr. Gurtler feels the pier is a residential pier and requires additional parking spaces.

Mr. Moore stated the project calls for the enlargement of the existing pier, it is not a new pier.

The Board discussed the set back for the retaining wall that is to be relocated.

Mr. Gurtler feels the applicant's reasoning for relocating the retaining wall is not an operational necessity.

Eben Salvatore stated access to the shore path will remain for it is a condition of a previous approval.

The Board asked the applicant to prepare a sketch of the proposed screening facility from Frenchman's Bay.

Ms. Krieg informed the Board of the site visit with the Department Heads, Perry Moore and Eben Salvatore to review bus circulation, sewer connection and the expansion of the pier.

Mr. Moore mentioned to the Board that the Harbormaster generally supported the concept and in fact felt the expansion may need to be larger.

Ms. Booher asked if the Harbormaster would be willing to draft a letter indicating his approval. Ms. Krieg stated she would provide the Board with this letter.

The Board briefly discussed submission deadlines.

Ed Damm read his letter he submitted to the Board into the record.

Mr. Gurtler moved to continue the Public Hearing at the April 4, 2007 meeting. Ms. Booher seconded the motion, the Board voted unanimously to continue the Public Hearing at the April 4th meeting.

C. Continuation of a Public Hearing – SD -02-14 Pelletier

Project Location: 231 Knox Road, Bar Harbor Tax Map 213, Lot 35

Applicant: John Pelletier

Application: Subdivide the existing lot into 14 individual lots

The Board had received a letter from the applicant's representative, Greg Johnston, Civil Engineering Services, Inc., requesting a continuance.

Mr. Gurtler moved to accept the request for a continuance. Mr. Cochary seconded the motion, the Board voted unanimously to grant the request for a continuance.

D. Completeness review – SD-06-10 Dawes

Project Location: 120 Seabury Drive, Bar Harbor Tax Map 207, Lot 24

Applicant: Charles and Susan Dawes

Application: Subdivide the existing 6.7 acre lot into 2 lots.

Mr. Dawes briefly described the scope of the project to the Board.

Mr. Gurtler discussed previous projects / approvals.

Mr. Cochary questioned whether or not there was a Right of Way extending to the Southeast.

Mr. Gurtler moved to find the application complete. Mr. Cochary seconded the motion, the Board voted unanimously to find the application complete.

V. OTHER BUSINESS**A. Jonathan Mohr's request for a discussion regarding commercial zoning in Town Hill**

Mr. Mohr explained to the Board that he and several neighbors feel the Business zone be expanded along Rt. 120 in Town Hill.

Ms. Krieg referred to the draft Comprehensive Plan regarding home occupations on Rt. 3 and Rt. 102.

Mr. Cochary suggested this issue be added to the meeting for Town Hill.

Ms. Krieg explained to Mr. Mohr the ability in the Land Use Ordinance to bypass the Planning Board and petition for a Town meeting to get on the Warrant.

Ms. Chamberlain stated she is not sure home occupation would solve Mr. Mohr's situation.

B. Board discussion on work on properties prior to submission for future subdivision development application.

Ms. Krieg discussed current issues regarding access ways.

- Building access ways before sketch plan approval.
- Abutters feel access ways are becoming roads.

Mr. Gurtler stated a driveway permit should be a driveway to something. If not it should be considered an access way. He suggested they place a time penalty on the reviewing of an applicant's site plan if the applicant puts in an unapproved access way.

Ms. Stevens-Rosa suggested they further limit the amount of work that can be done on access ways.

Mr. Gurtler suggested any time penalties should be consistent with other Towns.

Mike Gillis spoke to the Board. He stated there are no concrete definition / specifications in LUO regarding access ways.

The Board agreed this issue should receive further attention.

C. Response to possible Council action at their March 20, 2007 meeting.

Ms. Krieg gave the Board a brief review of the Town Council's March 20, 2007 meeting. They discussed the following;

- Affordable housing
- The use of the nitrogen loading model (USGS) regarding Northeast Creek
- The re-organization of the Planning Board

VI. PLANNING DIRECTOR'S REPORT

Staff recommendations for Land Use Ordinance amendments for fall 2007 Town Meeting.

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

Ms. Krieg discussed submittal deadlines and parking requirements (minimums VS. maximums)

VIII. ADJOURNMENT - 9:30 PM

Mr. Cochary moved to adjourn. Ms. Booher seconded the motion, the Board voted unanimously to adjourn.

Signed as approved:

Sarah Stanley, Secretary
Planning Board, Town of Bar Harbor

Date